

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL MCKINNON,  
Petitioner,

v.

MICHAEL W. HARLOW, *et al.*,  
Respondents.

CIVIL ACTION

NO. 12-6308

**ORDER**

AND NOW, this 28<sup>th</sup> day of JANUARY, 201~~4~~<sup>5</sup>, upon careful and independent consideration of the petition for a writ of habeas corpus, the response to the petition and appended exhibits, and available state court records, and after review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus is **DISMISSED WITH PREJUDICE**;
3. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that reasonable jurists would debate the correctness of the procedural aspects of this ruling. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and
4. The Clerk of the Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

  
JOEL H. SLOMSKY, J.